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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,422	03/31/2004	Ratinder Paul Ahuja	06897.P006	8851
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Patent Capital Group 6119 McCommas Blvd Dallas, TX 75214			EXAMINER SALOMON, PHENUEL S	
			ART UNIT	PAPER NUMBER
			2178	
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			04/16/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/816,422

**Applicant(s)**

AHUJA ET AL.

**Examiner**

PHENUEL S. SALOMON

**Art Unit**

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 25 and 27-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 25 and 27-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is in response to the request for continued examination filed on March 09, 2009, in which claims 1 and 27 are amended, claims 6-21 and 26 are canceled, claims 22-24 are withdrawn. Claims 1-5, 25 and 27-34 are pending for further examination.
2. The objections of Claim 34 under 37 CFR 1.75 as being a substantial duplicate of claim 33 have been withdrawn pursuant to claim cancellation.
3. The rejections of Claims 1-3, 26-29 and 32-34 under 35 U.S.C. 103(a) as being anticipated by Biebesheimer (US 2002/0107843 A1) in view of Piersol (US 6,978,297 B1) have been withdrawn pursuant to applicant amendment.
4. The rejections of Claims 4 and 30 under 35 U.S.C. 103(a) as being unpatentable over Biebesheimer et al. (US 2002/0107843 A1) in view of Piersol (US 6,978,297 B1) and in further view of Khan (US 7,185,192 B1) have been withdrawn pursuant to applicant amendment.
5. The rejections of Claims 5 and 31 under 35 U.S.C. 103(a) as being unpatentable over Biebesheimer et al. (US 2002/0107843 A1) in view of Piersol (US 6,978,297 B1) and in further view of Microsoft Outlook 2000 © 1995-2000, (hereinafter Outlook) have been withdrawn pursuant to applicant amendment.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 26-29 and 32-34 are rejected under 35 U.S.C. 103(a) as being anticipated by Biebesheimer (US 2002/0107843 A1) in view of Piersol (US 6,978,297 B1) and further in view of Dugatkin (US 2005/0021715 A1).

Claim 1: Biebesheimer discloses a method comprising:

presenting a graphical user interface GUI for a capture system, wherein the GUI comprising one or more views including:

a capture rule view (gui) to enable parameters of the capture rule to be defined (p.7, ¶ [0065]).

a search editor view to enable parameters of a search (p.3, ¶ [0030] lines 17-30) but does not disclose tags of objects captured by the capture system to be defined, the capture system configured to intercept data from data streams, reconstruct the data, and store network transmitted objects according to a capture rule, that defines which objects are to be captured by the capture system, wherein each tag is associated with at least one captured object and includes relevant information that describes the at least one object. However Piersol discloses tags of objects captured by the capture system to be defined (*the metadata file contains special information about the document from the capturing device*) (col. 8, lines 50-56), wherein each tag is associated with at least one captured object and includes relevant information that describes the at least one object (*a unique identifier, such as a serial number, may be*

*assigned to each document and stored in the document's metadata file)* (col. 9, lines 65-67 and col. 10, lines 1-5) [These documents constitute data being intercepted from the streams of network data and these data as objects will be reconstructed when reached their destination]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Piersol feature in Biebesheimer. One would have been motivated to do so in order to give the user convenience of a wide variety of criteria to perform customized search.

However Dugatkin discloses the capture system configured to intercept data from data streams, reconstruct the data, and store network transmitted objects according to a capture rule, that defines which objects are to be captured by the capture system (p. 3, para. [0036], [0051]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Dugatkin feature in Biebesheimer. One would have been motivated to do so in order to monitor traffic on a network.

Claim 2: Biebesheimer Piersol and Dugatkin disclose the method of claim 1 above, Biebesheimer further discloses the parameters definable through the search editor view include both indexed (*adaptive indexing resource solution and lookup*) (p.3, ¶ [0031]) and non-indexed (*context parameter with a broad range of attributes*) search criteria (p.3, ¶ [0033]).

Claim 3: Biebesheimer Piersol and Dugatkin disclose the method of claim 1 above, Biebesheimer further discloses the definable search editor view parameters include one or more of a plurality of search criteria, the search criteria comprising: a content type, a protocol (*inherent in a network environment*), a keyword (*search term*); and a word pattern (p.6, ¶ [0062], lines 20-34).

Claim 25: Biebesheimer Piersol and Dugatkin disclose the method of claim 1 above, Piersol further discloses wherein the search is of tags of stored objects (*data and metadata files are implemented according to XML specification, other programming language may equivalently be utilized such as HTML or SGML*) (col. 9, 15-20). One would have been motivated to do so in order to facilitate index search.

Claim 27: The claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

Claim 28: The claim incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

Claim 29: The claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

Claim 32: The claim incorporates substantially similar subject matter as claim 25, and is rejected along the same rationale.

Claims 33 and 34: Biebesheimer Piersol and Dugatkin disclose the method of claim 1 above, Biebesheimer further discloses wherein the relevant information that describes the at least one object includes one or more of a plurality of fields, the fields comprising:

a protocol, an instance, a content type (*inherent in a network environment*) (p.6, ¶ [0062], lines 20-34), and Piersol discloses an encoding (*item 470*), a capture rule (*items 440, 445*), an object signature

(*item 410*), and a tag signature (*document capturer*). One would have been motivated to do so in order to give the user convenience of a wide variety of criteria to perform customized search.

8. Claims 4 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Biebesheimer et al. (US 2002/0107843 A1) in view of Piersol (US 6,978,297 B1) in view of Dugatkin (US 2005/0021715 A1) and in further view of Khan (US 7,185,192 B1).

Claim 4: Biebesheimer Piersol and Dugatkin disclose the method of claim 3 above, but do not explicitly disclose the search criteria include a source address, a destination address, a size range, and a temporal range. However, Kahn discloses “object attributes data field that contains values for various attributes and/or configuration information related to the object such as resource’s IP address and other network attributes...” (col. 20, lines 19-44) [in a networking environment, source and destination addresses, size and temporal range are criteria that one can consider inherent]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include that feature in Biebesheimer. One would have been motivated to do so in order to give the user convenience of a wide variety of criteria to perform customized search.

Claim 30 incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

9. Claims 5 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Biebesheimer et al. (US 2002/0107843 A1) in view of Piersol (US 6,978,297 B1) in view of Dugatkin (US 2005/0021715 A1) and in further view of Microsoft Outlook 2000 © 1995-2000, (hereinafter Outlook).

Claim 5: Biebesheimer Piersol and Dugatkin disclose the method of claim 1 above, wherein the definable parameters of the search editor view specify one or more of a plurality of search criteria, but does not explicitly disclose the search criteria comprising: an email source, an email destination, an email carbon copy, an email subject, and message keywords. However, Outlook discloses “a search criteria with different attributes field...” (Screen Shot 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include that feature in Biebesheimer. One would have been motivated to do so in order to give the user convenience of a wide variety of criteria to perform customized search.

Claim 31 incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-3, 26-29, and 32-34 filed on 03/09/2009 have been fully considered but are moot in view of new ground(s) of rejection.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.  
a. Omoigui (US 2004/0230572 A1) System and method for semantic knowledge retrieval, management, capture, sharing, discovery, delivery and presentation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M. (Alternate Friday Off) EST.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272 4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS  
04/08/2009

/Stephen S. Hong/

Supervisory Patent Examiner, Art Unit 2178